

NATURAL RESOURCE COMMISSION[571]

Adopted and Filed

Pursuant to the authority of Iowa Code sections 455A.5(6) and 461A.42, the Natural Resource Commission hereby amends Chapter 61, “State Parks and Recreation Areas,” and rescinds Chapter 62, “State Forest Camping,” Iowa Administrative Code.

The Commission is merging Chapter 62 into Chapter 61 and making additional edits. Chapter 62 is being entirely rescinded as many of the rules in Chapter 62 are similar or identical to the rules found in Chapter 61; thus combining these two chapters avoids redundancy. Chapter 61 will be reorganized with the creation of two divisions: Division I titled “State Parks and Recreation Areas,” and Division II titled “State Forest Camping.” In addition, the amendments to Chapter 61:

1. Update the applicability rule to include state forest camping areas.
2. Remove the reference to Pioneer Recreation Area from the list in the definition of “recreation areas.” This area is under a management agreement with Mitchell County and is already included in the definition of “state park managed by another governmental entity.”
3. Update the definition of “rental facilities” to include warming houses.
4. Remove the reference to Wanata from the list in the definition of “state park” as Clay County now has fee title to the park.
5. Remove Oakland Mills and Mill Creek State Parks from the list in the definition of “state park managed by another governmental entity” as Henry County now has fee title of Oakland Mills Park and O’Brien County has fee title of Mill Creek Park.
6. Update the listing in the definition of “state preserves” to include the three state preserves that have been dedicated most recently.
7. Omit from new rule 571—61.3(461A) the subrule that adopted the business rules manual by reference. After a thorough review of the business rules manual, eight policies in the business rules manual were identified as necessary, and those policies are incorporated as administrative rules in this rule making. The remaining policies in the business rules manual establish protocol between the vendor and the Department regarding operation and management of the centralized reservation system and are not necessary to include in administrative rules. The eight existing policies are incorporated as administrative rules as follows:
 - a. Reservations will not be accepted for camping stays that occur between November 1 through March 31;
 - b. The last day a person may make or change a reservation for campsites and rental facilities if payment is made by paper check or money order is 21 days prior to the arrival date;
 - c. All reservations shall be for a specific campsite or rental facility;
 - d. The reservation window to change a camping reservation for campsites is 4 days prior to arrival if payment is made by credit card or debit card and 15 days prior to arrival for rental facilities if payment is made by credit card or debit card;
 - e. Equestrian campers shall be allowed to change a camping reservation less than 4 days prior to the arrival date if the equestrian trails are closed on the same day as or the day before the campers’ scheduled arrival date;
 - f. The cancellation policy including forfeiture of fees depending upon how close to the arrival date the cancellation occurs;
 - g. Minimum-stay requirements for camping reservations; and
 - h. Campers reserving “buddy” or group campsites must reserve both or all four of the individual sites that make up the buddy or group campsite.
8. Change the reference from “group camp” to “conservation education center rental” at Springbrook State Park.

9. Clarify that a walk-in camper must have the beginning date of the camping stay on the camper registration form dated the same day the camper pays the camping fee and posts the registration in the campsite marker.

10. Establish day-use lodge fees for new or renovated lodges at Lewis and Clark State Park visitor center banquet room, Mini-Wakan State Park, and Waubonsie State Park.

11. Establish a rental fee of \$30 for the warming house at Pilot Knob State Park.

12. Eliminate the Friday and Saturday night stay requirement for the multifamily cabin at Springbrook State Park.

13. Clarify that a damage deposit is required for cabins, lodges, and open shelters with kitchenettes.

14. Change the damage deposit amount to be equal to the daily rental fee for the facility or \$50, whichever is greater.

15. For rental facility gatherings with keg beer, waive the damage deposit in lieu of the keg damage deposit if the keg damage deposit is greater than the facility damage deposit.

16. Establish the provision that pets are not to be left unattended in campgrounds or outside of cabins and yurts. A dog left unattended in a cabin or yurt must be in a kennel or pet crate.

17. Establish the provision that animals are prohibited in all park buildings, except for service dogs and assistance animals, dogs in designated cabins or yurts (limit of two dogs of any size per designated cabin or yurt), and animals being used in education and interpretation programs.

18. Strike the requirement that a person with a physical disability must submit a certificate from a doctor stating that the applicant meets the criteria describing a person with a physical disability in order to meet federal regulations.

19. Update the language regarding deer population control hunts by removing the listing of state parks as it is no longer necessary to list those areas in the administrative rules.

20. Identify and cite the rules found in Division I that apply to state forest camping areas listed in Division II.

21. Establish in Division II of Chapter 61 those rules currently found in Chapter 62 that are unique to state forest camping.

Notice of Intended Action was published in the Iowa Administrative Bulletin as **ARC 0190C** on July 11, 2012. A public hearing was held July 31, 2012. Ten comments were received during the comment period. Two comments were in general support of the proposed amendments. Two comments were opposed to rules requiring pets to be attended to or crated/kenneled when left unattended in cabins/yurts. One comment requested that campers be required to place their camping unit on the site for the entire duration of the camping stay. Three comments did not pertain to the proposed amendments but requested to review rules regarding use of generators and to establish a pet waste pick-up policy/rule. Lastly, one comment asked for clarification on which cabins at Lake Wapello would be pet-free.

No changes have been made to these amendments as proposed under Notice. No changes were made because these amendments were drafted based upon extensive input received during the pre-Notice stakeholder review process, which included comments similar to those summarized above. The amendments adopted in this action were the consensus of the majority of stakeholders.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code sections 455A.5(6), 461A.3, 461A.3A, 461A.35, 461A.39, 461A.42, 461A.43, 461A.45 through 461A.51, and 423.2.

These amendments will become effective November 7, 2012.

EDITOR'S NOTE: Pursuant to recommendation of the Administrative Rules Review Committee published in the Iowa Administrative Bulletin, September 10, 1986, the text of these amendments [amend Ch 61; rescind Ch 62] is being omitted. These amendments are identical to those published under Notice as **ARC 0190C**, IAB 7/11/12.

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[For replacement pages for IAC, see IAC Supplement 10/3/12.]